To: Shapiro, Mike[Shapiro.Mike@epa.gov]

From: Golightly-Howell, Velveta
Sent: Sat 11/8/2014 12:36:03 AM

Subject: Fw: REACH, Inc., - Complaint under Title VI of the Civil Rights Act of 1964 and EPA-DOJ

11.07.2014 Meeting

Hi Mike. Good to see you today. Thanks for taking time out of your busy day to join us. Happy weekend!

#### Velveta

From: Golightly-Howell, Velveta

Sent: Friday, November 7, 2014 1:49:29 PM

**To:** KeyesFleming, Gwendolyn; Reeder, John; Starfield, Lawrence; Shapiro, Mike; Lapierre, Kenneth **Cc:** Packard, Elise; Rhodes, Julia; O'Lone, Mary; Wooden-Aguilar, Helena; Covington, Jeryl; Farrell, Ericka;

Turkevich, Paul; Bailey, Rhonda; HALIM-CHESTNUT, NAIMA

Subject: RE: REACH, Inc., - Complaint under Title VI of the Civil Rights Act of 1964 and EPA-DOJ

11.07.2014 Meeting

Hi everyone. Related to the disparate analysis segment of the agenda, OCR and OGC have agreed to be in "listening mode." We look forward to those of you who can joining us.

#### Velveta

Velveta Golightly-Howell

Director, Office of Civil Rights

Environmental Protection Agency

1200 Pennsylvania Avenue, N.W.

Mail Code 1201A

Washington, DC 20460

202-564-6685

From: Golightly-Howell, Velveta

**Sent:** Friday, November 07, 2014 12:05 PM **To:** KeyesFleming, Gwendolyn; Reeder, John

Cc: Packard, Elise; Rhodes, Julia; O'Lone, Mary; Wooden-Aguilar, Helena; Covington, Jeryl;

Farrell, Ericka; Turkevich, Paul

Subject: REACH, Inc., - Complaint under Title VI of the Civil Rights Act of 1964 and EPA-

DOJ 11.07.2014 Meeting

Hi Gwen and John. We look forward to one or both of you joining this afternoon's meeting with DOJ reps. John, thank you for agreeing to reach out to Mike, Larry and possibly other DCROs whose programs are implicated by the claims to see if they can attend or send a rep. Attached is the complaint and the agenda with the MCI connection info. We've taken the one proposed by DOJ and somewhat modified it. Thanks.

Velveta

From: Jocelyn D'Ambrosio [mailto:jdambrosio@earthjustice.org]

Sent: Wednesday, September 03, 2014 6:39 PM

To: Mccarthy, Gina; Title VI Complaints

Cc: Wooden-Aguilar, Helena; Tejada, Matthew; McTeerToney, Heather; HALIM-CHESTNUT, NAIMA; 'Daria.Neal@usdoj.gov'; 'tom.reeder@ncdenr.gov'; 'christine.lawson@ncdenr.gov';

#### Ex. 6 - Personal Privacy

Subject: Complaint under Title VI of the Civil Rights Act of 1964

Dear Administrator McCarthy and Ms. Golightly-Howell,

On March 7, 2014, the North Carolina Department of Environment and Natural Resources ("DENR") issued a general permit that allows industrial swine facilities in North Carolina to operate with grossly inadequate and outdated systems of controlling animal waste and little provision for government oversight, which has an unjustified disproportionate impact on the

basis of race and national origin against African Americans, Latinos, and Native Americans in violation of Title VI of the Civil Rights Act of 1964 and EPA's implementing regulations. North Carolina Environmental Justice Network, Rural Empowerment Association for Community Help, and Waterkeeper Alliance, Inc. ("Complainants") hereby submit the attached complaint against DENR and request that EPA investigate the complaint and require that DENR come into compliance with the law. As you may know, Complainants and other community members in eastern North Carolina have complained to DENR about the adverse effects of the swine industry on their health and environment for years, to no avail. Today, Complainants ask that EPA take action. We will be forwarding exhibits by separate email and, also, sending hard copies overnight by Federal Express to each of your offices. Of course, please let us know if these materials raise any question. We would welcome the opportunity to discuss the complaint. Sincerely, Jocelyn D'Ambrosio and Marianne Engelman Lado Jocelyn D'Ambrosio **Associate Attorney** Earthjustice Northeast Office 48 Wall Street, 19th Floor New York, New York 10005

T: 212-845-7385 F: 212-918-1556 earthjustice.org



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delete the message and any attachments.

To: Bailey, Rhonda[Bailey.Rhonda@epa.gov]

From: Golightly-Howell, Velveta
Sent: Fri 11/7/2014 10:31:58 PM

Subject: RE: REACH, Inc., - Complaint under Title VI of the Civil Rights Act of 1964 and EPA-DOJ

11.07.2014 Meeting

It was on the agenda but we had a bit of difficulty with connecting Rhonda. Appreciate your patience! Velveta

From: Bailey, Rhonda

Sent: Friday, November 07, 2014 2:05 PM

To: Golightly-Howell, Velveta

Subject: RE: REACH, Inc., - Complaint under Title VI of the Civil Rights Act of 1964 and EPA-

DOJ 11.07.2014 Meeting

Hello Velveta

Do I have the correct number to call in? **Ex. 6 - Personal Privacy** I have been on hold with message that leader has not arrived. Rhonda

From: Golightly-Howell, Velveta

Sent: Friday, November 07, 2014 1:49 PM

To: KeyesFleming, Gwendolyn; Reeder, John; Starfield, Lawrence; Shapiro, Mike; Lapierre,

Kenneth

Cc: Packard, Elise; Rhodes, Julia; O'Lone, Mary; Wooden-Aguilar, Helena; Covington, Jeryl;

Farrell, Ericka; Turkevich, Paul; Bailey, Rhonda; HALIM-CHESTNUT, NAIMA

Subject: RE: REACH, Inc., - Complaint under Title VI of the Civil Rights Act of 1964 and EPA-

DOJ 11.07.2014 Meeting

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#### Velveta

Velveta Golightly-Howell

Director, Office of Civil Rights

**Environmental Protection Agency** 

1200 Pennsylvania Avenue, N.W.

Mail Code 1201A

Washington, DC 20460

202-564-6685

From: Golightly-Howell, Velveta

**Sent:** Friday, November 07, 2014 12:05 PM **To:** KeyesFleming, Gwendolyn; Reeder, John

Cc: Packard, Elise; Rhodes, Julia; O'Lone, Mary; Wooden-Aguilar, Helena; Covington, Jeryl;

Farrell, Ericka; Turkevich, Paul

Subject: REACH, Inc., - Complaint under Title VI of the Civil Rights Act of 1964 and EPA-

DOJ 11.07.2014 Meeting

Hi Gwen and John. We look forward to one or both of you joining this afternoon's meeting with DOJ reps. John, thank you for agreeing to reach out to Mike, Larry and possibly other DCROs whose programs are implicated by the claims to see if they can attend or send a rep. Attached is the complaint and the agenda with the MCI connection info. We've taken the one proposed by DOJ and somewhat modified it. Thanks.

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From: Jocelyn D'Ambrosio [mailto:jdambrosio@earthjustice.org]

Sent: Wednesday, September 03, 2014 6:39 PM

To: Mccarthy, Gina; Title VI Complaints

**Cc:** Wooden-Aguilar, Helena; Tejada, Matthew; McTeerToney, Heather; HALIM-CHESTNUT, NAIMA; 'Daria.Neal@usdoj.gov'; 'tom.reeder@ncdenr.gov'; 'christine.lawson@ncdenr.gov';

Ex. 6 - Personal Privacy

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North Carolina Environmental Justice Network, Rural Empowerment Association for Community Help, and Waterkeeper Alliance, Inc. ("Complainants") hereby submit the attached complaint against DENR and request that EPA investigate the complaint and require that DENR come into compliance with the law.

As you may know, Complainants and other community members in eastern North Carolina have complained to DENR about the adverse effects of the swine industry on their health and environment for years, to no avail. Today, Complainants ask that EPA take action.

We will be forwarding exhibits by separate email and, also, sending hard copies overnight by Federal Express to each of your offices. Of course, please let us know if these materials raise any question. We would welcome the opportunity to discuss the complaint.

Sincerely,

## Jocelyn D'Ambrosio and Marianne Engelman Lado

Jocelyn D'Ambrosio

Associate Attorney

Earthjustice Northeast Office

48 Wall Street, 19<sup>th</sup> Floor New York, New York 10005 T: 212-845-7385 F: 212-918-1556 earthjustice.org



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delete the message and any attachments.

To: HALIM-CHESTNUT, NAIMA[Halim-Chestnut.Naima@epa.gov]; Tommelleo,

Nancy[Tommelleo.Nancy@epa.gov]; Jones, Kim A[Jones.Kima@epa.gov]

Cc: White, Erika[White.Erika@epa.gov]

From: Lapierre, Kenneth

**Sent:** Fri 7/29/2016 10:29:57 AM

Subject: FW: ACCEPTANCE LETTER FOR RETALIATION CLAIM AGAINST NC DEQ

Acceptance of Complaint - Retaliation- complaiant - FINAL DRAFT FOR DCRO REVIEW 7-28-16.doc

Acceptance of Admin Complaint (retaliation) NC DEQ - DRAFT TO DCRO - 7-28-2016.doc

Naima,

Please take the lead in getting our comments back to OCR if we have any.

Thanks--Ken

Kenneth R. Lapierre

Assistant Regional Administrator

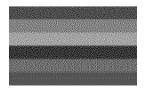
U.S. EPA Region 4

(404) 562-8570



#### Regional Diversity & Inclusion Celebration

Theme: A Day of Change - From Diversity to Inclusion



From: Dorka, Lilian

Sent: Thursday, July 28, 2016 6:52 PM

To: Lapierre, Kenneth

Cc: HALIM-CHESTNUT, NAIMA; Tommelleo, Nancy; Farrell, Ericka; Covington, Jeryl;

Bachle, Laura; O'Lone, Mary; Johnson, Johahna; Rhodes, Julia; Packard, Elise

Subject: ACCEPTANCE LETTER FOR RETALIATION CLAIM AGAINST NC DEQ

Importance: High

Hi Ken, attached, please find the draft letters accepting for investigation the retaliation claim against NC DEQ. Note that we have incorporated the claim into the existing case investigation and closed out a new docket number we had assigned. If at all possible, please provide any comments by noon Monday as we plan to issue the letters by COB Monday in order to make our 20-day timeframe. Thanks and please let me know if you have any questions. Thanks! Lilian

Lilian Sotolongo Dorka

Acting Director, EPA, Office of Civil Rights

202-564-9649

WJC-N Room 2450

To: O'Lone, Mary[o'lone.mary@epa.gov]; Wooden-Aguilar, Helena[Wooden-

Aguilar.Helena@epa.gov]

Cc: HALIM-CHESTNUT, NAIMA[Halim-Chestnut.Naima@epa.gov]

From: Zimmer, Andrea

**Sent:** Wed 3/25/2015 10:04:39 PM

Subject: FW: Question - REACH related. Has R4 water program . . .

Alabama 04-15-2013.pptx
Florida 04-15-2013.pptx
Georgia 04-15-2013.pptx
Kentucky Draft 4-15-2013.pptx
Mississippi 04-15-2013.pptx

North Carolina Draft 4-15-2013.pptx South Carolina Draft 4-15-2013.pptx Tennessee Draft 4-15-2013.pptx

GA CAFO Report EPAOIG 11-P-0274 Agency Response 11.15.2011.pdf

GA CAFO Report EPAOIG 06.23.2011.pdf

Mary – thank you for your email today! Here are responses to your 3/18 email:

In our federal NPDES permitting oversight role, EPA conducts program overviews. As part of the NPDES Permit Quality Review (PQR) process EPA assesses whether NPDES permits are developed in a manner that is consistent with applicable requirements in the Clean Water Act (CWA) and environmental regulations. During each PQR, EPA reviews a representative sample of states' NPDES permits and evaluates permit language, fact sheets, calculations, and any supporting documents in the permit files. Region 4 is finalizing the PQR Report for the State of NC, but we did not include the CAFO program as part of the review.

Sam Sampath was aware of a CAFO program summary compiled by EPA HQ and has provided the attached drafts for each of the Region 4 states.

# Ex. 5 - Deliberative Process

Р	lease l	let me	know if v	ou have.	any o	questions.
	IUUUU I		1111044 11 1	YOU HUYO	GIIV C	4400LIO: 10.

Thanks!

Andrea

From: Sampath, Sam

Sent: Wednesday, March 25, 2015 1:43 PM

To: Zimmer, Andrea; Raines, Connie

Cc: Davis, Molly

Subject: RE: Question - REACH related. Has R4 water program . . .

# Ex. 5 - Deliberative Process

Thanks

Sam

From: O'Lone, Mary

**Sent:** Wednesday, March 18, 2015 9:10 AM **To:** HALIM-CHESTNUT, NAIMA; Zimmer, Andrea **Cc:** Wooden-Aguilar, Helena; Tommelleo, Nancy

Subject: Question - REACH related. Has R4 water program . . .

### Andrea & Naima-

We just saw this report from R3's water program about a review it did of PA's animal agriculture regulations and programs.

The intro to this report makes it sound like reviews generally are something that EPA has the authority to do, but they don't usually focus exclusively on animal agriculture regulations and programs.

Just wondering if R4's water program has ever done a review of NC's regulations and programs? If so, can we get copies of them.

Also, any chance you all have done a review specific to NC's or any other state's animal agriculture regulations and programs? We'd be interested in those as well.

Thanks, Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

**US EPA** 

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

To: HALIM-CHESTNUT, NAIMA[Halim-Chestnut.Naima@epa.gov]; Zimmer,

Andrea[Zimmer.Andrea@epa.gov]

Cc: Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]; Tommelleo,

Nancy[Tommelleo.Nancy@epa.gov]

From: O'Lone, Mary

**Sent:** Wed 3/18/2015 1:09:48 PM

**Subject:** Question - REACH related. Has R4 water program . . . EPA 2015PennsylvaniaAnimalAgricultureProgramAssessment.pdf

#### Andrea & Naima-

We just saw this report from R3's water program about a review it did of PA's animal agriculture regulations and programs.

The intro to this report makes it sound like reviews generally are something that EPA has the authority to do, but they don't usually focus exclusively on animal agriculture regulations and programs.

Just wondering if R4's water program has ever done a review of NC's regulations and programs? If so, can we get copies of them.

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Thanks, Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

**US EPA** 

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

To: Lapierre, Kenneth[Lapierre.Kenneth@epa.gov]; HALIM-CHESTNUT, NAIMA[Halim-

Chestnut.Naima@epa.gov] **From:** Tommelleo, Nancy

Sent: Mon 12/22/2014 10:02:30 PM
Subject: FW: draft answers for Avi
REACH Briefing for Avi v 3.docx

FYI only



Deputy Regional Counsel

United States Environmental Protection Agency

Region 4

61 Forsyth Street, S.W.

Atlanta, Georgia 30303

tel: 404.562.9571

fax: 404.562.9663

tommelleo.nancy@epa.gov

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Sent: Friday, December 19, 2014 2:03 PM To: Wilkes, Mary; Tommelleo, Nancy Cc: Packard, Elise Subject: draft answers for Avi Hi. Attached is a draft of questions that CRFLO was asked about the REACH complaint and proposed answers. I greatly appreciate the assistance that the region gave in terms of helping us understand its role with regard to the permit. I need to coordinate this draft with Ethan so it can get in Avi's briefing book for the weekend. I apologize for the brevity of time, but if you want to make any comments, please do so before 3pm. Thanks, J Julia Rhodes Assistant General Counsel for the Civil Rights Practice Group Civil Rights and Finance Law Office Office of General Counsel **Environmental Protection Agency** 1200 Pennsylvania Avenue, NW, 2399A Washington, DC 20460

From: Rhodes, Julia

Phone: 202.564.1417

To: HALIM-CHESTNUT, NAIMA[Halim-Chestnut.Naima@epa.gov]

From: Wooden-Aguilar, Helena
Sent: Tue 1/20/2015 8:04:54 PM
Subject: RE: One quick thing

Ok. Then I did not see that. Could you share?

From: HALIM-CHESTNUT, NAIMA

Sent: Tuesday, January 20, 2015 3:04 PM

**To:** Wooden-Aguilar, Helena **Subject:** RE: One quick thing

No sorry, I mean from my legal to Julia on the REACH complaint.

Naima Halim-Chestnut, MAOM

U.S. Environmental Protection Agency, Region 4

Regional Civil Rights Officer | Office of Civil Rights 61 Forsyth St. SW | Atlanta, GA 30303

Direct Line: 404-562-9220 Ex. 6 - Personal Privacy E-mail: halim-chestnut.naima@epa.gov

OCR Intranet Page: http://r4intra.epa.gov/opm/civilrights/index.html

January is Dr. MLK Observance Month

THEME: Remember! Celebrate! Act! "A Day On -Not a Day Off"



From: Wooden-Aguilar, Helena

Sent: Tuesday, January 20, 2015 3:04 PM

**To:** HALIM-CHESTNUT, NAIMA **Subject:** RE: One quick thing

From me to Julia?

From: HALIM-CHESTNUT, NAIMA

Sent: Tuesday, January 20, 2015 3:02 PM

To: Wooden-Aguilar, Helena Subject: RE: One quick thing

Ok, the last piece of information I saw was a correspondence to Julia Rhodes.

Naima Halim-Chestnut, MAOM

U.S. Environmental Protection Agency, Region 4

Regional Civil Rights Officer | Office of Civil Rights 61 Forsyth St. SW | Atlanta, GA 30303

Direct Line: 404-562-9220 Ex. 6 - Personal Privacy | E-mail: halim-chestnut.naima@epa.gov

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Helena

Helena Wooden-Aguilar

From: Wooden-Aguilar, Helena Sent: Tuesday, January 20, 2015 2:39 PM To: HALIM-CHESTNUT, NAIMA Cc: Covington, Jeryl Subject: Re: One quick thing Hey! Thanks for the message. Reach is a big case here and it is being discussed at the Senior Leadership level. Jeryl C of my staff can send you a quick blurb on this case to give you context. Lastly, could you advise your legal time to coordinate with Mary O'lone of OGC. She is the legal lead and is coordinating with General Counsel. Thx,

**Assistant Director** 

External Civil Rights - US EPA

202-564-0792 (office)

Ex. 6 - Personal Privacy

wooden-aguilar.helena@epa.gov

On Jan 20, 2015, at 2:33 PM, "HALIM-CHESTNUT, NAIMA" < Halim-Chestnut.Naima@epa.gov> wrote:

<image001.gif>

Helena

Do you know what case would be a current issue with a CAFO in NC aka REACH? I don't see this on my or your updates and wanted to know if you had any record of this complaint?

I ask because our legal team was working on some pre-ADR questions as it related to a Title VI issue with this name.

Any information you have would be appreciated.

Naima Halim-Chestnut, MAOM

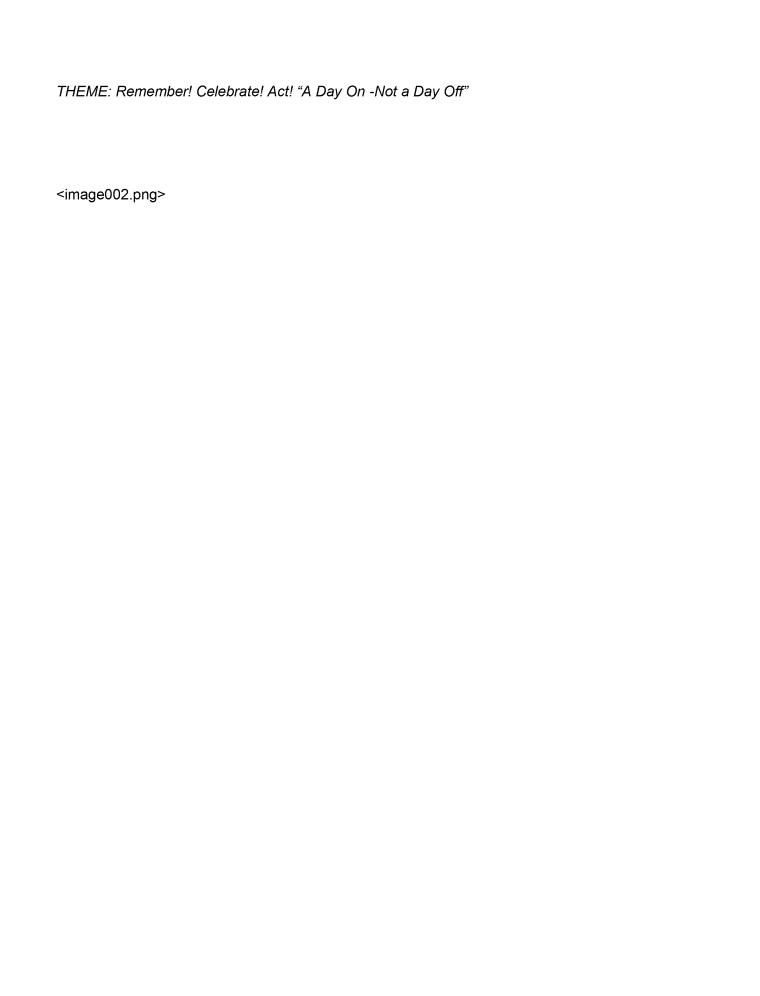
U.S. Environmental Protection Agency, Region 4

Regional Civil Rights Officer | Office of Civil Rights 61 Forsyth St. SW | Atlanta, GA 30303

Direct Line: 404-562-9220 Ex. 6 - Personal Privacy | E-mail: halim-chestnut.naima@epa.gov

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January is Dr. MLK Observance Month



To: HALIM-CHESTNUT, NAIMA[Halim-Chestnut.Naima@epa.gov]

**Cc:** Covington, Jeryl[Covington.Jeryl@epa.gov]

From: Wooden-Aguilar, Helena Sent: Tue 1/20/2015 7:38:31 PM

Subject: Re: One quick thing

Hey!

Thanks for the message. Reach is a big case here and it is being discussed at the Senior Leadership level.

Jeryl C of my staff can send you a quick blurb on this case to give you context.

Lastly, could you advise your legal time to coordinate with Mary O'lone of OGC. She is the legal lead and is coordinating with General Counsel.

Thx,

Helena

Helena Wooden-Aguilar Assistant Director External Civil Rights - US EPA 202-564-0792 (office)

Ex. 6 - Personal Privacy

wooden-aguilar.helena@epa.gov

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<image001.gif>

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U.S. Environmental Protection Agency, Region 4

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Direct Line: 404-562-9220 Ex. 6 - Personal Privacy E-mail: halim-chestnut.naima@epa.gov

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<image002.png>

To: Tommelleo, Nancy[Tommelleo.Nancy@epa.gov]

Cc: HALIM-CHESTNUT, NAIMA[Halim-Chestnut.Naima@epa.gov]; Jones, Kim

A[Jones.Kima@epa.gov]; Tellis, Vickie[Tellis.Vickie@epa.gov]

From: Lapierre, Kenneth Sent: Fri 12/11/2015 8:42:43 PM

Subject: Re: REACH CASE - SUSPENSION OF INVESTIGATION PENDING ADR -- FOR REGIONAL

**REVIEW/INPUT** 

Thank you -- Ken

Sent from my iPhone

On Dec 11, 2015, at 1:52 PM, Tommelleo, Nancy < Tommelleo. Nancy@epa.gov > wrote:

Ken:

My only comment for both letters is that NC DENR is now called North Carolina Department of Environmental Quality (or NC DEQ). OCR will probably want to correct those references.

Thanks

Nancy



Deputy Regional Counsel

United States Environmental Protection Agency

Region 4

61 Forsyth Street, S.W.

Atlanta, Georgia 30303

tel: 404.562.9571

fax: 404.562.9663

tommelleo.nancy@epa.gov

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From: Lapierre, Kenneth

Sent: Thursday, December 10, 2015 8:58 AM

To: HALIM-CHESTNUT, NAIMA < Halim-Chestnut.Naima@epa.gov >; Jones, Kim A

< <u>Jones.Kima@epa.gov</u>>; Tommelleo, Nancy < <u>Tommelleo.Nancy@epa.gov</u>>

Cc: Tellis, Vickie < Tellis. Vickie@epa.gov>

Subject: FW: REACH CASE - SUSPENSION OF INVESTIGATION PENDING ADR --

FOR REGIONAL REVIEW/INPUT

Naima, Kim, or Nancy,

Any comments for OCR on these letters?

Thanks--Ken

Kenneth R. Lapierre

Assistant Regional Administrator

U.S. EPA Region 4

(404) 562-8570

<image003.png>

November 1 – November 30, National American Indian Heritage Month

Theme: "Growing Native Leaders: Enhancing Seven Generations"

Veterans Day – November 11, 2015

Theme: "Honoring all who Served in times of War – in times of Peace"

From: Dorka, Lilian

Sent: Wednesday, December 9, 2015 8:04 PM

To: Lapierre, Kenneth

**Cc:** Tommelleo, Nancy; Golightly-Howell, Velveta; Pieh, Luseni; Reeder, John; Rhodes, Julia; Packard, Elise; Farrell, Ericka; O'Lone, Mary; Covington, Jeryl; Wooden-Aguilar,

Helena

Subject: REACH CASE - SUSPENSION OF INVESTIGATION PENDING ADR -- FOR

REGIONAL REVIEW/INPUT

Hi Ken, hope you and our Region 4 colleagues are well! Consistent with the collaborative efforts described in the CRM and which we all had the opportunity to discuss with DCROs recently, we will be sharing key documents (and other information at key decision stages) with our DCRO partners for input. (This is our first time actually implementing this as a "process" per the CRM.)

These letters attached are the letters to DENR and to the REACH folks letting them know "officially" that we have suspended our investigation pending ADR in this case. Fact is that they are overdue and, as you know, we suspended our investigation a few months ago when the parties agreed to mediation. For a number of reasons, these have been delayed in issuing, but we still do need to issue them for the record. This will of course come as no surprise to the parties.  $\odot$ 

We plan to issue the letters by Tuesday morning, 12/15. We would really appreciate it if you could let us know if you have any comments/questions before then. Otherwise, we will issue the letters.
Thanks very much for your help! Lilian

To: Lapierre, Kenneth[Lapierre.Kenneth@epa.gov]; HALIM-CHESTNUT, NAIMA[Halim-

Chestnut.Naima@epa.gov]; Jones, Kim A[Jones.Kima@epa.gov]

Cc: Tellis, Vickie[Tellis.Vickie@epa.gov]

**From:** Tommelleo, Nancy **Sent:** Fri 12/11/2015 7:52:15 PM

Subject: RE: REACH CASE - SUSPENSION OF INVESTIGATION PENDING ADR -- FOR REGIONAL

**REVIEW/INPUT** 

Ken:

My only comment for both letters is that NC DENR is now called North Carolina Department of Environmental Quality (or NC DEQ). OCR will probably want to correct those references.

Thanks

Nancy



Deputy Regional Counsel

United States Environmental Protection Agency

Region 4

61 Forsyth Street, S.W.

Atlanta, Georgia 30303

tel: 404.562.9571

fax: 404.562.9663

tommelleo.nancy@epa.gov

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From: Lapierre, Kenneth

Sent: Thursday, December 10, 2015 8:58 AM

To: HALIM-CHESTNUT, NAIMA < Halim-Chestnut.Naima@epa.gov>; Jones, Kim A

<Jones.Kima@epa.gov>; Tommelleo, Nancy <Tommelleo.Nancy@epa.gov>

Cc: Tellis, Vickie < Tellis. Vickie@epa.gov>

Subject: FW: REACH CASE - SUSPENSION OF INVESTIGATION PENDING ADR -- FOR

REGIONAL REVIEW/INPUT

Naima, Kim, or Nancy,

Any comments for OCR on these letters?

Thanks--Ken

Kenneth R. Lapierre

Assistant Regional Administrator

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November 1 - November 30, National American Indian Heritage Month

Theme: "Growing Native Leaders: Enhancing Seven Generations"

Veterans Day – November 11, 2015

Theme: "Honoring all who Served in times of War – in times of Peace"

From: Dorka, Lilian

Sent: Wednesday, December 9, 2015 8:04 PM

To: Lapierre, Kenneth

**Cc:** Tommelleo, Nancy; Golightly-Howell, Velveta; Pieh, Luseni; Reeder, John; Rhodes, Julia; Packard, Elise; Farrell, Ericka; O'Lone, Mary; Covington, Jeryl; Wooden-Aguilar, Helena **Subject:** REACH CASE - SUSPENSION OF INVESTIGATION PENDING ADR -- FOR

REGIONAL REVIEW/INPUT

Hi Ken, hope you and our Region 4 colleagues are well! Consistent with the collaborative efforts described in the CRM and which we all had the opportunity to discuss with DCROs recently, we will be sharing key documents (and other information at key decision stages) with our DCRO partners for input. (This is our first time actually implementing this as a "process" per the CRM.)

These letters attached are the letters to DENR and to the REACH folks letting them know "officially" that we have suspended our investigation pending ADR in this case. Fact is that they are overdue and, as you know, we suspended our investigation a few months ago when the parties agreed to mediation. For a number of reasons, these have been delayed in issuing, but we still do need to issue them for the record. This will of course come as no surprise to the parties. ©

We plan to issue the letters by Tuesday morning, 12/15. We would really appreciate it if you could let us know if you have any comments/questions before then. Otherwise, we will issue the letters.	
Thanks very much for your help! Lilian	